

THE UNWRITTEN CONSTITUTION

The American government today relies on many practices that developed after the Constitution was put into effect. The practices became customary even though they were never formally incorporated into the Constitution. For this reason, they are often referred to as our "unwritten Constitution."

The _____ . The Constitution gave the President power to _____ people to assist him. Washington and later Presidents came to rely on these people – known as the Cabinet – for advice.

_____ The Supreme Court has the power to review _____ and _____ laws to determine if they are permissible under the U.S. Constitution. In other words, they determine whether a law is _____ or _____.

_____ Originally the Electoral College voted on its own. From 1842 onward, electors vote by state according to the majority of the popular vote. This is not in the constitution, but is a promise and historical precedent.

_____ .
The Constitution does not specifically mention political parties, although these now play an important role in our system of government. The 2-major parties today are:

_____ & _____

_____ .
These help Congress select the most important bills out of thousands proposed. Committees hold hearings, discuss and evaluate each bill.

_____ .
Originally this was not in the Constitution but the first US President, George Washington, set the precedent. The 22nd amendment in 1951 set the two-term limit, so it became part of the US Constitution.

So remember.....The Unwritten Constitution is made up of things that **ARE NOT ACTUALLY WRITTEN IN THE CONSTITUTION!**

Comparing National and New York State Branches

LEVEL OF GOVT.	EXECUTIVE	LEGISLATIVE	JUDICIAL
National gov. capital is located in:			
State gov. capital is located in:			

Positions in National Government:

President: _____

Vice President: _____

US Senators from New York: _____ and

US Representatives: _____ and

Two most-recently added Supreme Court judges:

_____ and _____

State government:

Governor: _____

Your state senator: _____

Your state assemblyman: _____

Local government:

County Executive: _____

Town of Vestal Supervisor: _____

Vestal Town Councilmen: Name one: _____

How many in total: _____

Matrix for Understanding the Bill of Rights

Carefully examine the placard and describe what is happening in the picture. Read the caption to help you understand what right is represented. Then use the Bill of Rights to determine which amendment protects that right.

Placard	Describe what is happening in the picture	Right represented	Which Amendment	Explain why you chose this Amendment
A				
B				
C				
D				
E				

Placard	Describe what is happening in the picture	Right represented	Which Amendment	Explain why you chose this Amendment
F				
G				
H				
I				
J				

The Bill of Rights and Supreme Court Decisions

Directions: At each station, read the question written on the folder and discuss with your group members. After you have discussed the question, use the fliers inside the folders to complete the chart below.

Case	Amendment & Right	Background	Decision	Impact
W. VA State Board of Ed v. Barnette (1943)	1 st Civil Liberties	* W Va. school required students to salute & pledge flag * Barnette (Jehovah's Witness) challenges Board of Ed.	* 6-3 students may not be required to salute & pledge flag	* Students' civil liberties protected
Mapp v. Ohio (1961)				
Engle v. Vitale (1962)				
Hazelwood v. Kuhlmeier (1988)				

Case	Amendment & Right	Background	Decision	Impact
N.J. v. T.L.O. (1985)				
Miranda v. Arizona (1966)				
Gideon v. Wainwright (1963)				
Escobedo v. Illinois (1964)				
Furman v. Georgia (1972)				

